

Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

April 6, 2012

Drax Felton  
160 Copper Leaf Lane  
Salisbury, NC 28146

RE: COMMISSION SEEKS COMMENT ON EMERGENCY COMMUNICATIONS BY AMATEUR RADIO AND  
IMPEDIMENTS TO AMATEUR RADIO COMMUNICATIONS, Proceeding Number 12-91.

To Whom to May Concern:

I have held Amateur Radio license KB3X for the past ten years. I am active with Skywarn severe weather watch and Amateur Radio Emergency Services.

Currently I am a defendant in a lawsuit battling to protect my Amateur Radio antennas from my neighbors. The plaintiffs are using an somewhat ambiguous statement in the subdivision deed restrictions and covenants as a basis for their claim. The restriction basically says no towers or antennas (other than those used for customary household radios and appliances). No homeowner's association exists in this neighborhood.

So I am spending hundreds of dollars to defend a perfectly legal activity for which I am licensed and may someday use to benefit those seek to destroy it.

My antenna is located in the rear of a 2.5 acre lot which surrounded by forest on three sides, at the end of dead end cul-de-sac, and is 240 feet from the public street and yet that is not enough satisfy the plaintiffs.

Please create a Federal Pre-Emption to CC&R's similar to that of the Over the Air Reception Devices (OTARD) that the FCC has done for the satellite television and Internet service providers.

Sincerely,

Drax Felton, FCC Licensee KB3X